

Amendment filed 12/07/04
Response to OA mailed 11/02/04

U.S.S.N. 10/782,093
011398.00005

REMARKS

Claims 1-35 are pending. Claims 1-16 are rejected.

The Applicant filed a Preliminary Amendment on February 17, 2004. In the Preliminary Amendment, the Applicant amended claims 1, 6, and 11 and added claims 17-35. The Applicant's representative informed the Examiner of this fact in a telephonic discussion on November 16, 2004. The Examiner acknowledged that the Preliminary Amendment was received but not considered by the Office Action mailed November 2, 2004.

Specification

The abstract of the disclosure is objected to because it allegedly includes improper language such as "The present invention." The Applicant has amended the Abstract to address the objections. The Applicant requests that the objection to the Abstract be withdrawn.

Double Patenting

Claims 1 and 6 are rejected by the Office Action under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 of US 6,714,136. However, the Applicant previously amended claims 1 and 6 as discussed above. The Office Action has not considered the amendments. The Applicant requests reconsideration of claims 1 and 6.

Claim 11 is rejected by the Office Action under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 3 of US 6,714,136. However, the Applicant previously amended claim 11 as discussed above. The Office Action has not considered the amendment. The Applicant requests reconsideration of claim 11.

Claims 2, 5, 7, 10, and 12 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 of US 6,714,136 in view of US 5,995,455 (Kutosky). Claims 2, 5, 7, 10, and 12 depend from claims 1, 6, and 11 and

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are patentable for at least the above reasons. The Applicant requests reconsideration of claims 2, 5, 7, 10, and 12.

Claims 3-4, 8-9, and 13-16 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 of US 6,714,136 in view of US 6,223,348 (Hayes). Claims 3-4, 8-9, and 13-16 depend from claims 1, 6, and 11 and are patentable for at least the above reasons. The Applicant requests reconsideration of claims 3-4, 8-9, and 13-16.

CONCLUSION

All objections and rejections have been addressed. Hence, it is respectfully submitted that the present application is in condition for allowance, and a notice to that effect is earnestly solicited.

Respectfully submitted,

Date: December 7, 2004

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